

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:12-cv-01626-RLW**

NORTHWEST PORTLAND AREA INDIAN HEALTH  
BOARD, INC v. ROUBIDEAUX et al  
Assigned to: Judge Robert L. Wilkins  
Cause: 05:552 Freedom of Information Act

Date Filed: 10/01/2012  
Date Terminated: 02/14/2013  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**NORTHWEST PORTLAND AREA  
INDIAN HEALTH BOARD, INC**

represented by **Lloyd Benton Miller**  
SONOSKY, CHAMBERS, SACHSE,  
MILLER & MUNSON  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Donald Jay Simon**  
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**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**YVETTE ROUBIDEAUX**  
*in her official capacity as Director US  
Indian Health Service*

represented by **Javier M. Guzman**  
U.S. ATTORNEY'S OFFICE  
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**ATTORNEY TO BE NOTICED**

**Defendant**

**KATHLEEN G. SEBELIUS**  
*in her official capacity as Secretary US  
Department of Health and Human  
Services*

represented by **Javier M. Guzman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**WILLIAM TIBBITTS**  
*in his official capacity as Acting Director  
Division of Regulatory Affairs HHS IHS*

represented by **Javier M. Guzman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant****DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**represented by **Javier M. Guzman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED****Defendant****INDIAN HEALTH SERVICE**represented by **Javier M. Guzman**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/01/2012	<u>1</u>	COMPLAINT against All Defendants ( Filing fee \$ 350 receipt number 0090-3086288) filed by NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD, INC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet, # <u>6</u> Summons)(Simon, Donald) (Entered: 10/01/2012)
10/01/2012		Case Assigned to Judge Robert L. Wilkins. (mmh) (Entered: 10/02/2012)
10/02/2012	<u>2</u>	ELECTRONIC SUMMONS Issued as to DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE, YVETTE ROUBIDEAUX, KATHLEEN SEBELIUS, WILLIAM TIBBITTS, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Consent Notice)(mmh) (Entered: 10/02/2012)
10/03/2012	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General October 2, 2012. (Simon, Donald) (Entered: 10/03/2012)
10/03/2012	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/2/2012. Answer due for ALL FEDERAL DEFENDANTS by 11/1/2012. (Simon, Donald) (Entered: 10/03/2012)
10/11/2012	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. KATHLEEN SEBELIUS served on 10/8/2012 (Simon, Donald) (Entered: 10/11/2012)
10/11/2012	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 10/8/2012 (Simon, Donald) (Entered: 10/11/2012)
10/12/2012	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. YVETTE ROUBIDEAUX served on 10/12/2012 (Simon, Donald) (Entered: 10/12/2012)
10/12/2012	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. WILLIAM TIBBITTS served on 10/12/2012 (Simon, Donald) (Entered: 10/12/2012)
10/12/2012	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. INDIAN HEALTH SERVICE served on 10/12/2012 (Simon, Donald) (Entered: 10/12/2012)
10/20/2012	<u>10</u>	NOTICE of Appearance by Javier M. Guzman on behalf of All Defendants (Guzman, Javier) (Entered: 10/20/2012)
10/25/2012	<u>11</u>	NOTICE of Appearance by LLoyd Benton Miller on behalf of NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD, INC (Miller, LLoyd) (Entered: 10/25/2012)
10/25/2012	<u>12</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD, INC (Miller, LLoyd) (Entered: 10/25/2012)

11/01/2012	<u>13</u>	ANSWER to <u>1</u> Complaint by DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE, YVETTE ROUBIDEAUX, KATHLEEN SEBELIUS, WILLIAM TIBBITTS.(Guzman, Javier) Modified on 11/2/2012 to add linkage (rdj). (Entered: 11/01/2012)
11/30/2012		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCVR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. The government may have 30 days from the date of this order within which to file a dispositive motion or, in the alternative, to file a report setting forth the schedule according to which the government will complete its production of documents to the plaintiff. Signed by Judge Robert L. Wilkins on 11/29/12. (lcrlw1) (Entered: 11/30/2012)
12/18/2012	<u>14</u>	Unopposed MOTION for Extension of Time to <i>File Dispositive Motion</i> by DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE, YVETTE ROUBIDEAUX, KATHLEEN SEBELIUS, WILLIAM TIBBITTS (Attachments: # <u>1</u> Text of Proposed Order)(Guzman, Javier) (Entered: 12/18/2012)
12/20/2012	<u>15</u>	ORDER granting <u>14</u> Unopposed MOTION for Extension of Time to File Dispositive Motion;IT IS FURTHER ORDERED that Defendantsshall have until January 17, 2013 to file their dispositive motion. Signed by Judge Robert L. Wilkins on 12/20/2012. (tcb) (Entered: 12/20/2012)
01/17/2013	<u>16</u>	MOTION for Summary Judgment by DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDIAN HEALTH SERVICE, YVETTE ROUBIDEAUX, KATHLEEN SEBELIUS, WILLIAM TIBBITTS (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Exhibit Tibbitts Declaration, # <u>4</u> Text of Proposed Order)(Guzman, Javier) (Entered: 01/17/2013)
01/24/2013	<u>17</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>16</u> MOTION for Summary Judgment by NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD, INC (Attachments: # <u>1</u> Text of Proposed Order granting Plaintiff's unopposed motion for extension of time to file response to Defendants' motion for summary judgment)(Miller, LLoyd) (Entered: 01/24/2013)
01/25/2013	<u>18</u>	ORDER granting <u>17</u> Unopposed MOTION for Extension of Time to File Response/Reply as to 16 MOTION for Summary Judgment; IT IS FURTHER ORDERED that Plaintiff shall have until February 28, 2013 to file its response to Defendants Motion for Summary Judgment. Signed by Judge Robert L. Wilkins on 1/25/2013. (tcb) (Entered: 01/25/2013)
02/13/2013	<u>19</u>	STIPULATION of Dismissal by NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD, INC. (Miller, LLoyd) (Entered: 02/13/2013)